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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,189	12/01/2003	Takahiro Bokui	60188-722	1320
7590	09/14/2005		EXAMINER	
Jack Q. Lever, Jr. McDERMOTT, WILL & EMERY 600 Thirteenth Street, N.W. Washington, DC 20005-3096			WACHSMAN, HAL D	
			ART UNIT	PAPER NUMBER
			2857	

DATE MAILED: 09/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/724,189	Applicant(s) BOKUI ET AL.	
	Examiner Hal D. Wachsman	Art Unit 2857	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 01 December 2003.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                                                            |                                                                                         |
|--------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                                       | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>12-1-03</u> | 6) <input type="checkbox"/> Other: _____                                                |

1. Figures 10-12 are objected to because what is shown in these figures was known in the prior art however these drawings have not been labeled as "Prior Art". Figures 10 and 11 are referred to in the Background of the Invention. In addition, the Brief Description of the Drawings refers to both figures 10 and 12 as conventional circuits. Appropriate correction is required.
2. The Brief Description of the Drawings is objected to because the description for Figure 11 does not indicate that this is prior art. Appropriate correction is required.
3. The Abstract is objected to because it is greater than 150 words in length and contains purported merits (i.e. "...possible to adjust and correct...with high precision"). Appropriate correction is required.
4. Page 6, line 10, of the specification cites "...less susceptible production deviations..." which it appears should be "...less susceptible to production deviations...". Page 45, line 18, cites "...the oscillator circuit 30 shown in Fig. 30..." however *there is no figure 30 in the drawings*. Page 22, line 5, cites "...has is not externally included.." however was it "...is not externally included..." that was intended here ? Appropriate correction is required.
5. Claim 1 is objected to under 37 C.F.R. 1.75(i) because there are elements in the preamble of the claim after the word "comprising" that have not been separated by a line indentation. Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The preamble of claim 1 indicates that a variable parameter is part of the parameter correction circuit. However, it is not clear as to how a variable parameter, which is a number or value, can be a physical part of the parameter correction circuit. Claim 1, line 8, cites "any one of the switching circuits is connected to a reference parameter..." however again it is not clear as to how a physical switching circuit can be connected to a reference parameter which is a value and is not physical in itself. These same types of problems can also be found in claim 1, lines 10-11, 13-15, claim 2, lines 1-3, claim 3, lines 1-3, claim 4, lines 1-3, claim 5, lines 1-3, claim 6, lines 1-3, claim 7, lines 1-2, claim 8, lines 5-6, claim 10, lines 3-4, claim 12, lines 4-6, claim 13, lines 2-5, claim 17, lines 2-4, claim 21, lines 5-6 and 13-14. The last 3 lines of claim 1 cite "the adjusting circuit adjusts the parameter value of the variable parameter *based upon* the voltages of the reference parameter and the variable parameter measured by the voltage measuring circuit" but does not particularly point out how exactly are the voltages of the reference parameter and the variable parameter being used to obtain the adjustment. Claim 11, lines 2-4, cite "...the third switching circuit is connected to the output terminal of the mirror circuit so *that* the voltage measuring circuit..." but how exactly is the third switching circuit connected to achieve what is cited in those lines ? This same type of problem also occurs in claim 21, lines 15-16. Claim 12, lines 4-5, cite

"the first output terminal" and claim 12, lines 5-6, cite "the second output terminal" both of which lack clear antecedent basis. Claim 14, line 3, cites "the current supply" however it appears that the antecedent basis is "current supply circuit". This same type of problem also occurs in claim 16, lines 4-5. Claim 17, lines 2-4, cite "...another variable parameter having the same structure as the variable parameter..." however exactly what type of structure is being referred to here ? Claim 17, line 3, cites "capable of" which implies that the invention may or may not do what is being cited here. The preamble of claim 21 cites "A correction method, which corrects a parameter value of a variable parameter by using a computer, wherein the computer carries out the steps of" however there is some ambiguity here with respect to how the computer can carry out the steps if there are no instructions on a computer-readable storage medium for example. Claim 21, line 8, cites "the parameter value" however is this referring to the preliminarily known parameter value ? Claim 21, line 11, cites "the target value" which lacks clear antecedent basis.

8. The following references are cited as being art of general interest: Hisakado et al. (6,205,095) which disclose an optical disk device employing a phase lock loop, Yokoyama et al. (5,897,608) which disclose a correction data generator, Rueger et al. (6,826,504) which disclose the setting of a target voltage and Lopata et al. (6,686,789) which disclose dynamic low power reference circuit.


9. No claims are allowed.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hal D. Wachsman whose telephone number is 571-272-

2225. The examiner can normally be reached on Monday to Friday 7:00 A.M. to 4:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc Hoff can be reached on 571-272-2216. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Hal D Wachsman  
Primary Examiner  
Art Unit 2857

HW  
September 11, 2005



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EXAMINER
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ART UNIT	PAPER
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09112005

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Commissioner for Patents

Hal D Wachsman  
Primary Examiner  
Art Unit: 2857